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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,233	03/17/2004	Nicole M. Beaulieu	IGT1P083/P-557 CIP3	5639
22434	7590	06/24/2008		
BEYER WEAVER LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER SHAH, MILAP	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 06/24/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/803,233	Applicant(s) BEAULIEU ET AL.	
	Examiner Milap Shah	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/10/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to the amendment received on March 6, 2008. The Examiner acknowledges that claims 1, 3-7, 9, 20-25, 32, 35-38, 40, & 51-56 were amended, no claims were canceled, and no new claims were added. Therefore, claims 1-60 are currently pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itkis (U.S. Patent No. 4,856,787) in view of Nakano et al. (U.S. Patent No. 5,745,109, hereafter "Nakano").

Claims 1, 20, 32, & 51: Itkis generally teaches the concurrent or simultaneously playing of multiple games of chance using a system in which a "slave" game device displays the multiple games of chance having outcomes generated at a master game device. Nonetheless, those having ordinary skill and common sense would have deemed it an obvious matter to combine the operations of the slave game device and master game device on a single gaming machine as both computing technology and security in the gaming arts increased over time, allowing for the outcomes for games to be generated on-the-spot at the gaming terminals that are used by players. Clearly such a modification would have required routine skill in the art and would have produced extremely predictable results. Further, such generation of game outcomes at the gaming terminal that is used by the player is considered to be commonplace at the time of Applicant's invention, thus, would have been notoriously well known. The Examiner submits that for the remainder of this paper,

Itkis is considered to make obvious a gaming machine, as is generally common in the art, generating outcomes of a plurality of games of chance that are capable of being concurrently played on a gaming machine. Thus, the *game machine* of Itkis [as deemed obvious], teaches:

a gaming controller operable, in response to at least one wager, to simultaneously control a plurality of games of chance including a plurality of separate game outcomes associated, respectively, with each of the plurality of games of chance wherein the plurality of games of chance are played simultaneously by the user (figure 4 clearly shows at least 3 games of chance simultaneously being played by a user, wherein each of the plurality of games of chance has a separate game outcome associated therewith);

an input mechanism for receiving cash or an indicia of credit used to make the at least one wager (column 5, lines 9-32);

memory operable to store any required game data (column 5, lines 17-20);

a display operable to display the plurality of separate game outcomes (figure 4, note the display operable to display the different games and their outcomes);

“gaming logic” (i.e. consider program code) operable to generate the plurality of separate game outcomes (as discussed above where the task of generation game outcomes of the master game device is an obvious addition to the slave terminal to produce a single gaming machine employing both the task of the master game device and slave game device); and

a housing configured to enclose the gaming controller, the housing coupled to the input mechanism, the display and a user interface (the *game machine* of Itkis includes a housing having the processor 43 that is coupled to the input mechanism, display and a user interface (slave game device having the components shown in figure 7 configured within a

housing, further, as discussed above, the housing including the hardware to generate the game outcomes and perform master game device tasks within a gaming machine as defined by the combination of tasks performed by the slave game device and the master game device).

The game machine as made obvious over Itkis, fails to teach or disclose the user interface wherein gaming logic (i.e. program code) is operable to generate a three dimensional (3-D) user interface using a plurality of images of a 3-D gaming environment rendered for presentation on the display, further, allowing the user to manipulate the 3-D gaming environment.

Regardless of the deficiency, it is noted that 3-D environments for use as a user interface are well known in the computer graphics processing arts. Nakano is a clear example of such a well known 3-D graphical user interface. Nakano generally teaches a 3-D graphical user interface in which a cube shaped virtual objected is mounted with various "windows" or content in three dimensions. As clearly seen in figures 4A through 13, Nakano teaches a cube such that visually, a user sees into the box where content is displayed on the remaining five inside faces of the cube, further, the content that is displayed on at least the left, right, top, and bottom faces are considered to be portions of the whole content occupying those faces, such that only the back faces has fully shown content at any one time. Nakano further discloses manipulation of this 3-D interface by rotating the cube such that any face of the cube is capable of being placed at the "back" of the cube to be fully seen by the user. The Applicant is invited to review the Nakano reference in more detail to benefit from the many features and explicit teachings Nakano offers for providing such a graphical user interface. Nakano teaches this 3-D interface method for the purpose of allowing more information to be displayed on a screen at one time, whereas previous 2-D interfaces become quickly cluttered and difficult to visualize all available content (column 1, line 30 – column 2, line

16). Nakano also teaches the system as applicable to any computer related activity including gaming environments (figure 6A). Thus, one would be motivated to modify Itkis to use a 3-D interface for displaying the multiple games of chance so that a user interaction with the multiple games may be increased without having any detrimental effect to a user's visual perception, thus allowing more viewing content displayed at any one time. Itkis allows more than three games of chance illustrated, thus, upon selection of five games, the 2-D interface taught by Itkis would appear cluttered as discussed above, thus, and implementation of these games using the 3-D environment disclosed by Nakano would alleviate such clutter. Therefore, the combination of Itkis and Nakano is deemed to teach the following:

memory operable to store 3-D data corresponding to a 3-D gaming environment (i.e. there must be data stored to generate at least the basic cube shape of the 3-D environment);

gaming logic (program code) operable to render a plurality of images of the 3-D gaming environment for presentation on the display, wherein only a portion of the plurality of separate game outcomes are viewable on the display at one time (i.e. the multiple game windows of Itkis displayed as content within the 3-D environment of Nakano would be implemented as one game window or "game application" per face of the cube);

gaming logic (program code) operable to render the plurality of images of the 3-D gaming environment for presentation on the display, the images depicting manipulation of one or more aspects of the 3-D gaming environment by the user including manipulations that allow the user to view different portions of the plurality of separate game outcomes (i.e. as discussed earlier, the manipulation is essentially the rotation of the cube to show different games in full view at the back of the cube, where the remaining faces show a

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portion of the content that would be occupying those faces -- the content being the multiple separate game outcomes of the multiple games of chance as taught by Itkis); and a user interface operable to provide user input to facilitate the manipulation of the one or more aspects of the 3-D gaming environment by the user (i.e. the input peripherals of the game machine taught by the combination of Itkis and Nakano, such as buttons).

Accordingly, in view of the teachings of Itkis and Nakano, it is submitted that those skilled in the art would have been motivated to provide the many concurrently played games of chance disclosed by Itkis within the 3-D graphical user interface disclosed by Nakano. Itkis teaches that the game specific portions of the claimed invention while Nakano clearly teaches a 3-D environment useable as a 3-D gaming environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Itkis with a 3-D environment for use as a 3-D gaming environment employing the concurrently playable multiple games of chance as taught by Itkis, for at least the reason that Nakano's user interface allows the multiple games of chance to be displayed and interacted with in such a way as to reduce a cluttered screen, provide enhanced aesthetics, and generally more exciting game play for players. Further, as an evidentiary reference only, the Applicant is invited to review Horvitz et al. (U.S. Patent No. 5,880,733; of record), that teaches a well known method of converting 2-D graphical windows of content into a 3-D environment similar to the one disclosed by Nakano. Thus, it seems well within the ordinary level of skill for a game designer having common knowledge of 3-D graphics to implement the concept of multiple games of chance concurrently playable within a 3-D environment such as the one disclosed by Nakano via at least mapping 2-D game windows into positions of the 3-D virtual object (i.e. the cube).

Regarding claims 20 & 51, all of the above appears to apply as claims 20 & 51 appear to disclose an invention encompassed within the invention of claim 1, with the addition of gaming logic that is operable to render a plurality of images of the 3-D gaming environment, each of the images depicting fewer than all of the plurality of separate game outcomes, successive ones of the images facilitating navigation among all of separate game outcomes. It is noted that each time the cube is rotated, an image of the display at that position of the virtual camera must be rendered for the 3-D gaming environment. As discussed previously, the walls include the content of the separate game outcomes of the multiple games of chance, where when each image of the 3-D environment from any position is rendered, fewer than all of the plurality of separate game outcomes are shown (i.e. a portion of each game outcome is not displayed to the player – this can be seen in at least figures 4A and 4B where the content on the left and right walls are only partially displayed, however, the content can be interacted with simultaneously or concurrently, thus, a player can still, for example, maintain a bingo game and keno game and simply rotate the cube to either game on the fly as numbers are drawn or called to make their selections as Itkis allows).

Claims 2 & 33: One game of chance disclosed by Itkis is a slot game (see at least claim 1), where in a slot game, at least reels rotate, thus Itkis discloses at least the movement of an object.

Claims 3 & 34: Itkis discloses at least a touch screen as a possible user interface (abstract).

Claims 4-6 & 35-37: The combination of Itkis & Nakano would produce a plurality of games of chance configured in an arrangement, where walls 111, 112, & 113 (figure 4B of Nakano) are the positions where application content is displayed. Thus, when the implementation is all games as the combination suggests, the three walls would include at least three games of chance in an arrangement, where the three games of chance are viewed at least simultaneously. Additionally, Nakano discloses the rotation of the walls, effectively rotating the cube (figures 4A-9 & column 6,

lines 12-16), such that in the situation that two games of chance are being played, and the cube is rotated such that at least one of those game is out of view from the viewpoint of the virtual camera, then, at least one outcome is not being displayed simultaneously.

Claims 7-9 & 38-40: As described above, Nakano discloses rotating the walls, effectively rotating the cube, such that the viewpoint or perspective of viewing the walls having the games thereon would be changed depending on which face of the cube is centered at wall 112 (figures 4A-9 & column 6, lines 12-16). This provides a plurality of different perspectives of the arrangement of games. Additionally, as seen in the drawings of Nakano, the side walls occasionally are only partially shown effectively showing “at least a portion of the arrangement of the plurality of separate game outcomes” when at least one game of chance on a sidewall is only partially shown (figure 5, where wall 113 is partially shown, thus, within the combination, sidewall 113 would include a game of chance that would be partially shown).

Claims 10 & 41: The cube disclosed by Nakano is considered a polyhedron, where the games of chance would be arranged in a polyhedral configuration on surfaces of a polyhedron (i.e. a cube).

Claims 11 & 42: The cube of Nakano appears to be constrained at least such that the cube appears to only rotate vertically, thus, these are the degrees of freedom for manipulation, where manipulation is at least rotating of the 3-D environment.

Claims 12, 15, 43, & 46: As described above, the cube effectively rotates on a vertical axis providing navigation of the 4 sidewalls (figures 4A-9). The “predetermined path” appears to be either to the left or to the right, such that predetermined is being interpreted in the sense that if a user wants to get to window 4, and they are currently at window 2 (i.e. center positions) they are bound to go through 2 or 3 depending on which rotation direction they choose.

Claims 13, 14, 16, 44, 45, & 47: Nakano discloses a single click to a sidewall 111 or 113 (figure 5) brings the sidewall to the center position, such that the rotation was only a quarter turn of the entire environment, which is considered the degree of freedom for the cube that can rotate any sidewall to the center position. Additionally, one may consider the shape only has two degrees of freedom being rotate left or rotate right. Using this interpretation, the combination of Itkis & Nakano still disclose the cube to be able to rotate in only one of the degrees of freedom or less than all of the degrees of freedom at any one time.

Claims 17 & 48: The combination of Itkis & Nakano would clearly use at least the Cartesian coordinate system (figures 4A-9).

Claims 18, 19, 49, & 50: The combination of Itkis & Nakano appear to disclose sound effects (column 4, lines 28-42 of Nakano), however, do not explicitly teach sound effects corresponding to the manipulation of the one or more aspects of the 3-D gaming environment. However, regardless of the deficiency, Nakano clearly has the structure to perform such a well-known task in the gaming industry. Sound effects in gaming are notoriously well known and it would have been a matter of design choice to include sound effects or not, since the application has not stated that sound effects solve any stated problem or are for any particular purpose, and it appears the gaming machine would have performed equally well without sound effects. Sound effects attract patrons to game machines and provide a feature that generally heightens the level of excitement for a player. Thus, one would be motivated to add sound effects to the combination of Itkis & Nakano for the simple reason to attract more players to the games, thereby causing increased player retention and gaming revenue, as is the main goal for any game machine in a casino environment. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the combination of Itkis & Nakano to include sound effects as is well-known in the art for at least the

reasons stated above. Sound effects could be of any desirable type, such as sound effects based on a location change or motion within a game (i.e. the sound of a fast car passing by or a loud engine).

Claims 21 & 52: The cube disclosed by Nakano is considered a polyhedron, where the games of chance would be arranged in a polyhedral configuration on surfaces of a polyhedron (i.e. a cube).

Claims 22-26 & 53-57: As described above, Nakano discloses rotating the walls, effectively rotating the cube, such that the viewpoint or perspective of viewing the walls having the games thereon would be changed depending on which face of the cube is centered at wall 112 (figures 4A-9 & column 6, lines 12-16). Effectively providing a plurality of different perspectives of the arrangement of games. These views are constrained to the rotation of the cube along a vertical axis. Thus, the plurality of games are considered to be within a virtual planar array (i.e. a game depicted on each plane of the cube), where the game logic is operable to constrain the plurality of perspectives to a portion of the 3-D gaming environment above the array (i.e. as seen in the figures 4A-9, the viewpoint the virtual camera “sees” the 3-D interface). Regarding claims 25 & 26, the Applicant discloses the constraining to a virtual planar (claim 24), a cylindrical surface (claim 25), and pay lines of virtual reels (claim 26) as equivalent, thus, showing one, the rest are considered obvious variants of various embodiments of the same invention requiring only a design consideration.

Claims 27, 28, 58, & 59: As described earlier, the cube appears to be rotatable along a vertical axis; thus, it would be restricted to be moved along a horizontal axis and that particular degree of freedom. The cube, however, does move at least one the left/right degree of freedom.

Claims 29 & 60: The combination of Itkis & Nakano would clearly use at least the Cartesian coordinate system (figures 4A-9).

Claims 30 & 31: The combination of Itkis & Nakano disclose at least a user interface to facilitate navigation such as keypad 8 of the gaming machine disclosed by Itkis or mouse 22 of the general purpose computer usable for gaming as disclosed by Nakano. Itkis also discloses a touch screen as a possible interface (abstract), which when modified by Nakano would be useful in performing the mouse-clicking tasks to operate the 3-D environment.

Response to Arguments

Applicant's arguments filed March 6, 2008 have been fully considered but they are not persuasive.

A response to arguments is incorporated in the completely re-written explanation of the claimed invention and how the combination of Itkis and Nakano applies. The Applicant's arguments with respect to Itkis teaching a gaming system versus a gaming machine (i.e. the system includes a master and slave terminal) is answered in the updated rejection in which the Examiner submits that clearly, it would have been an obvious matter to combine of the tasks the master and slave terminals of Itkis, which is further commonplace and well known in the gaming arts prior to Applicant's filing. Lastly, the Applicant also indicated that Itkis and Nakano would result in the various games disclosed by Itkis being fully displayed on each of the walls or faces of the cube disclosed by Nakano and therefore would not allow for only a portion of the game outcomes to be presented on the display. The Examiner respectfully disagrees in that regard. Nakano clearly discloses partial content on various faces or walls of the cube. The content of the walls is an obvious matter to be changed dependent on the applications to be displayed further based on an intended use of the 3-D graphical interface. Thus, implementation of such interface in gaming, specifically games of chance based on wagers, and further in view of Itkis, would appear to motivate those skilled in the art to provide different games as taught by Itkis on the walls or faces of the cube taught by

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Nakano and further allow the 3-D [gaming] environment to operate as Nakano suggests (i.e. rotation, partially shown content, etc.). A more detailed analysis is included in the updated rejections.

For at least these reasons, the Examiner maintains the grounds of rejection as claims 1-60 being rejected in view of the combination of Itkis and Nakano.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the attached "Notice of References Cited" for additional prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milap Shah whose telephone number is (571) 272-1723. The examiner can normally be reached on M-F: 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert E Pezzuto/
Supervisory Patent Examiner, Art Unit 3714

/MBS/